

Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2008

Date filed: February 27, 2009

Name of company(s) covered by this certification: TalkPath, LLC

Form 499 Filer ID: 827394

Name of signatory: David Byrd

Title of signatory: VP Operations

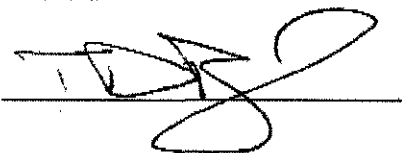
I, David Byrd, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. The company does not have any information outside of the publicly available information in this docket with respect to the processes pretexters are using to attempt to access CPNI. The company has taken steps to protect CPNI, such as restricting employee access to CPNI on a need-to-know basis, encrypting data, among other measures.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed

A handwritten signature in dark ink, appearing to be 'D. Byrd', is written over a horizontal line.

TalkPath, LLC

STATEMENT REGARDING CUSTOMER PROPRIETARY NETWORK INFORMATION OPERATING PROCEDURES

February 27, 2009

This statement is filed on behalf of TalkPath, LLC. ("TalkPath" or "Company") pursuant to 47 C.F.R. § 64.2009(e) to demonstrate how TalkPath's operating procedures are designed to ensure compliance with the Commission's CPNI rules.

Certification

TalkPath requires a corporate officer to act as agent for the company and sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with applicable CPNI rules. TalkPath's certifying officer relies in part upon information provided by corporate officers and managers directly responsible for implementing the Company's CPNI operating procedures.

TalkPath CPNI Protection Policy

TalkPath has implemented a CPNI Protection Policy Statement, which addresses, among other things, the policies and procedures the Company has implemented to safeguard its customer's CPNI. The TalkPath Protection Policy Statement was delivered to all employees, and explains, among other things, what constitutes CPNI, what requirements apply to the use and/or disclosure of CPNI, TalkPath CPNI safeguards, and what kinds of record-keeping and reporting obligations apply to CPNI. The Policy is also provided to new employees as part of their orientation materials and included in the Employee Handbook.

TalkPath CPNI Instructions

TalkPath has implemented CPNI Instructions as part of the Employee Manual. The TalkPath Employee Manual explains to its employees how to implement TALKPATH's CPNI Policies as outlined in the TALKPATH Protection Policy Statement.

The Manual addresses the following topics:

- The process for verifying a customer's identity;
- What information, if any, can be disclosed to the customer upon a customer request;
- When TalkPath employees may use CPNI for marketing purposes;
- What to do if a TalkPath employee receives a request for CPNI from law enforcement or any other person other than the customer of record; and
- What to do in the event of CPNI security breach.

Use, Disclosure and Access to CPNI

TalkPath does not use, disclose or permit access to its customers' CPNI except as any such use, disclosure or access is permitted by Section 222 of the Telecommunications Act of 1996. Specifically, TalkPath may disclose CPNI for the purpose of initiating, providing, rendering, and billing and collecting for the telecommunications services from which such information is derived; to provide the services necessary to, or used in, the provision of the services that TalkPath provides to its customers; (3) to market services to customers within the category of services to which the customer already subscribes; (4) to protect our rights and property, or to protect our customers and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, our services; and (5) as required by law.

Use of CPNI for Marketing Purposes

TalkPath does not use CPNI to market services to customers outside of the category of service to which the customer already subscribes. TalkPath also does not share CPNI with its affiliates, or third parties for any marketing purposes. If, in the future, TalkPath seeks to use CPNI to market services to customers that are outside of the category of service to which the customer subscribes or to share CPNI with affiliates or third

parties, then TalkPath will provide notice to its customers advising them of their right to approve or disapprove of the proposed uses of CPNI. TalkPath will maintain a list of customer preferences.

If TalkPath uses CPNI for marketing purposes, then it will ensure that all marketing campaigns receive prior approval. TalkPath will maintain records of all marketing campaigns that use CPNI in accordance with the FCC's rules.

Call Detail Information

TalkPath prohibits the release of Call Detail Information to any customer during an in-bound call. If a TalkPath employee receives a request for Call Detail Information, he/she may provide that information to the caller by sending the information to the address of record or calling the customer back at the telephone number of record. TalkPath's policy on Call Detail Information does not allow an employee to disclose any Call Detail Information to the customer other than the Call Detail Information that the customer already has disclosed.

Safeguarding CPNI

TalkPath takes the privacy and security of CPNI seriously. TalkPath authenticates all incoming calls. TalkPath has also established detailed procedures for processing certain account changes. TalkPath also has implemented network safeguards, including, but not limited to, encrypting certain data. TalkPath does not have retail locations.

Employee Training

Talkpath trains its employees as to when they are and are not permitted to use CPNI. TalkPath has an express disciplinary process in place to address any misuse of CPNI, up to and including termination.

Notice of Security Breaches

Pursuant to TalkPath policies, TalkPath employees are required to notify their supervisor (who will notify the legal department) immediately if they discover a security breach that has resulted in the unauthorized use, disclosure, or access to CPNI. TalkPath notifies the United States Secret Service and the Federal Bureau of Investigation as well as its affected customers of any breaches in accordance with 47 C.F.R. § 64.2011. TalkPath maintains a record of all security breaches.